

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DANNY SAUL ROSALES,

Petitioner, No. CIV S-03-0230 JAM KJM P

VS.

MICHAEL ROSALES, et al.,

## **Respondents.**

In light of the en banc decision in Hayward v. Marshall, \_\_\_ F.3d \_\_\_, 2010 WL 1664977 (9th Cir. 2010), the stay entered on October 22, 2008 is hereby lifted and the Clerk of the Court is directed to reopen the case.

Should the parties wish to file briefing about the impact of the Hayward decision, they may file simultaneous letter briefs of no more than five pages within fourteen days of the date of this order.

IT IS SO ORDERED.

DATED: May 21, 2010

/s/ John A. Mendez  
UNITED STATES DISTRICT JUDGE